

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TRAVELL C. HOLMES,

Plaintiff,

v.

DAVID BAUGHMAN, et al.,

Defendants.

No. 2:20-cv-1496 KJM DB P

ORDER


Plaintiff is a state prisoner proceeding pro se with a civil rights action. Plaintiff alleges defendants were deliberately indifferent to his medical needs when they required him to use stairs despite having a “no stairs” chrono and he fell injuring his knee. Before the court are plaintiff’s February 28, 2022 motion to quash, plaintiff’s April 14, 2022 motion for a protective order, and defendants’ May 24, 2022 motion to take plaintiff’s deposition by remote means. In a document filed here on June 10, plaintiff informed the court that he was on a hunger strike and refusing to take his medications. This court ordered the Deputy Attorney General to investigate plaintiff’s condition and inform the court about it. In the response, the litigation coordinator at California State Prison, Los Angeles County, explained that plaintiff was placed in a mental health crisis bed on June 10 and would likely be either returned to the general population or moved to the enhanced outpatient program by June 20.

Plaintiff’s motions seek the same thing – protection of his health records from discovery. Defendants filed oppositions to those motions; however, plaintiff has not filed reply briefs. While

1 a reply brief is not required, this court is concerned that plaintiff's recent move to, and  
2 presumably from, a mental health crisis bed interfered with his ability to litigate this case.  
3 Plaintiff also has not responded to defendants' motion to take his deposition by remote means.  
4 Plaintiff will be given an opportunity to file a reply brief and any opposition. If plaintiff does not  
5 wish to file a reply brief and/or file an opposition to defendant's motion, he shall so inform the  
6 court. In addition, if plaintiff does not have access to his legal materials or is otherwise unable to  
7 comply with this order, he may seek an extension of time to do so.

8 Accordingly, and good cause appearing, IT IS HEREBY ORDERED that within 30 days  
9 of the filed date of this order, plaintiff shall file: (1) a reply brief to his motions to quash and for a  
10 protective order or a statement that he does not wish to file a reply brief; and (2) an opposition to  
11 defendants' motion to take his deposition by remote means or a statement that he does not oppose  
12 the motion.

13 Dated: July 8, 2022

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16 DEBORAH BARNES  
17 UNITED STATES MAGISTRATE JUDGE  
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22 DLB:9  
23 DB prisoner inbox/civil rights/R/holm1496.disc mtns replies  
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